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STATUTORY INSTRUMENTS

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**2004 No. 3169**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Penalties for Disorderly Behaviour (Form of  
Penalty Notice) (Amendment) Regulations 2004**

*Made* - - - - *2nd December 2004*  
*Laid before Parliament* *3rd December 2004*  
*Coming into force* - - *26th December 2004*

The Secretary of State, in exercise of the powers conferred upon him by section 3(3) (having regard to the definition of “prescribed” in section 3(4)) of the Criminal Justice and Police Act 2001<sup>(1)</sup>, and section 26(3)(b) of the Welsh Language Act 1993<sup>(2)</sup>, hereby makes the following Regulations:

1. These Regulations may be cited as the Penalties for Disorderly Behaviour (Form of Penalty Notice) (Amendment) Regulations 2004 and shall come into force on the twenty fourth day after the day on which they are made.

2.—(1) The Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002<sup>(3)</sup> are amended as follows.

(2) In regulation 2, after “the form of penalty notice” there is inserted “to be given to a person, aged 16 or over,”.

(3) After regulation 2, there is inserted—

“3. The form of penalty notice to be given to a person, aged under 16, prescribed for the purposes of section 3(3) of the Criminal Justice and Police Act 2001 is—

- (a) in the case of a penalty notice issued in England, that set out in Part I of Schedule 2 to these Regulations; and
- (b) in the case of a penalty notice issued in Wales, that set out in Part II of that Schedule.”.

(4) For the heading to the Schedule there is substituted “FORM OF PENALTY NOTICE TO BE GIVEN TO A PERSON AGED 16 OR OVER”.

(5) After that Schedule there shall be inserted, as Schedule 2, the Schedule set out in the Schedule to these Regulations.

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(1) 2001 c. 16.  
(2) 1993 c. 38.  
(3) S.I. 2002/1838.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Home Office  
2nd December 2004

Scotland of Asthal Q.C.  
Minister of State





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## PART 2

**HEDDLU XXXXXXXXXX  
HYSBYSIAD COSB (HC) POBL IFANC  
SWM Y GOSB £**

PWYSIG - DARLLENWCH Y NODIADAU AR Y FFURFLEN HON

RHAN 1 COPTR DERBYNNYDD RNF HC

MANYLION YR UNIGOLYN IFANC: CYFENW

ENWAU CYNTAF

DYDDIAD GENI  CYFEIRIAD

CÔD POST

AMSER Y TROSEDD  DYDDIAD Y TROSEDD

AWR.

YN (LLEOLIAD)

CÔD Y TROSEDD

GWNAETHOCH CHI (manylion y trosedd) .....

YN GROES I (Deddf sy'n cynnwys y trosedd) .....

MAN CYFLWYNO: Stryd  Dalta

Rwy'n cydnabod derbyn yr Hysbysiad Cosb hwn  
Llofnod.....

RHODDWDYD GAN:  Cyfnew  Llofnod

Rhif Gwarant  Rhanbarth

Rheng

**RHAN 2 GWASANAETH HEDDLU XXXXX**  
NODUR LLENWCH HWN RHAN 2 OS YDYCH YN DYMUNO GWARANDAWIAD LLYS.  
AR ÔL EI LENW ANFONWCH Y NONYN HWN FR CYFEIRIAD A ROSGOR ISOD.  
New'r e dymuno llys ddelfo â lian y trosedd konedig a ddigri'feryd yn rhan 1 o'r hysbysiad hwn,  
mae chi i'r hysbysiad Cosb i'w weld trosedd.

DWY.....  
CYFEIRIAD.....  
CÔD POST.....  
AMSER Y TROSEDD.....  
DYDDIAD Y TROSEDD.....  
AWR.....  
YN (LLEOLIAD).....  
CÔD Y TROSEDD.....  
GWNAETHOCH CHI (manylion y trosedd).....  
YN GROES I (Deddf sy'n cynnwys y trosedd).....  
MAN CYFLWYNO: Stryd  Dalta

Rwy'n cydnabod derbyn yr Hysbysiad Cosb hwn  
Llofnod.....

RHODDWDYD GAN:  Cyfnew  Llofnod

Rhif Gwarant  Rhanbarth

Rheng

Anten at: Y Swyddog â Gofal, Swyddfa Dwyerneu Gasollog (Adran Troseddau  
Anhela) XXXXXXXXXXXXX

PART 3a RHAN 3A PWYSIG

### GWYBODAETH I'W DWYN AT UNWAITH I SYLW'R UNIGOLYN SY'N DERBYN YR HYSBYSIAD HWN

#### GOFYN AM WRANDAWIAD LLYS

Os ydych yn dymuno herio'r hysbysiad hwn ac am l'ch achos chi  
gael gwrandawriad mewn llys cyfraith, mae'n rhaid i chi:

- Ysgrifennu sic'h enw a'ch cyfeiriad mewn LLYTHRENNAU BRAS  
yn y lle pwmpol yn Rhan 2 o'r hysbysiad cosb (ochr yma'r slip ar  
wasloed yr hysbysiad).
- Torrwch y slip ar hyd y llinell doredig a'i anfon i'r cyfeiriad sydd  
ar y slip.

Os ydych yn dewis gwrandawriad llys mae'n rhaid un ai ddychwelyd  
rhan 2 o'r hysbysiad cosb hwn neu ysgrifennu gan roi sic'h  
manylion a chyfeiriad ar gyfer anfon gw\_s atoch chi. Bydd y gw\_s  
yn dweud ymhle mae'r llys, yn ogystal â phryd ddylech chi fod yno.  
Dim ond y sawl sy'n derbyn yr Hysbysiad Cosb (yr unigolyn sydd  
â'i enw yn rhan 1) all ofyn am wrandawriad.

OS OES GENNYCH UNRHYW GWESTIYNAU ERAILL YNGHYLCH  
YR HYSBYSIAD HWN, CYSYLLTWCH 'R SWYDDFA A ENWYD YN  
RHAN 3

RHAN 3B PWYSIG

Gwybodaeth ar sylw riant / gwarcheidwad yr unigolyn  
ifanc y rhoddwyd yr hysbysiad hwn iddo.

Bydd manylion llawn ynghylch sut i dalu'r hysbysiad cosb  
hwn yn cael eu hanfon atoch yn fuan.

### HEDDLU XXXXXXXXXX HYSBYSIAD COSB (HC) POBL IFANC SWM Y GOSB £

PWYSIG - DARLLENWCH Y NODIADAU AR Y FFURFLEN HON

RHAN 1 COPTR DERBYNNYDD RNF HC

MANYLION YR UNIGOLYN IFANC: CYFENW

ENWAU CYNTAF

DYDDIAD GENI  CYFEIRIAD

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RHODDWDYD GAN:  Cyfnew  Llofnod

Rhif Gwarant  Rhanbarth

Rheng



## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Penalties for Disorderly Behaviour (Form of Penalty) Notice Regulations 2002 (S.I. [2002/1838](#)) to prescribe the form of penalty notice that must be issued by a constable in dealing with a penalty offence committed by a person who was aged under 16 at the time he committed the offence giving rise to the penalty notice. The minimum age at which a penalty notice for disorderly behaviour can be given under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 is changed from 16 to 10 by the Penalties for Disorderly Behaviour (Amendment of Minimum Age) Order 2004 (S.I. [2004/3166](#)).